

REMARKS

Claims 1 – 18 are pending; claims 5, 6, 7, 10, 14 and 15 are objected to; and claims 1 – 4, 8, 9, 11 – 13 and 16 – 18 are rejected.

The applicants' attorney amends claims 1, 8, 11 and 16 to address the examiner's rejection under 35 U.S.C. §102(e) and adds claims 19 – 23. Claim 19 is an independent claim that includes the limitations of independent claim 1 and dependent claim 5. Claim 20 is an independent claim that includes the limitations of independent claim 1 and dependent claim 7. Claim 21 is an independent claim that includes the limitations of independent claim 8 and dependent claim 10. And, claim 22 is an independent claim that includes the limitations of independent claim 11 and dependent claim 14. The new claims 19 – 22 do not narrow the respective dependent claim that they include. The applicant's attorney respectfully asserts that claims 1 – 23, as amended, are in condition for allowance for the reasons discussed below.

If, after considering this response, the examiner believes the claims should not be allowed, the applicants' attorney respectfully requests that before issuing an Office Action, the examiner call Mr. David Mason (408-447-4046) or Mr. John Janeway (425-455- 5575) to schedule a telephone conference to further the prosecution of the claims.

Rejection of Claims 1 – 7 under 35 U.S.C. §102(e)

The applicant's attorney respectfully asserts that claim 1, as amended, is patentable over U.S. Patent 6,654,253 to DiMarco (DiMarco) because DiMarco fails to disclose a slot that is located a distance away from an axis and that has a length less than the circumference of a circle centered on the axis and having a radius equal to the distance.

The applicant's claim 1, as amended, recites a latch including a first member defining a slot; and a second member having a lip and operable to rotate about an axis to engage the slot with the lip, wherein the slot is located a distance away from the axis and has a length less than the circumference of a circle centered on the axis and having a radius equal to the distance.

For example, as shown in FIGS. 2 and 3 and discussed in paragraphs 15 – 17, 20 and 21 of the specification, a latch for inserting a sub-assembly 1 into a chassis 2 and retaining the sub-assembly 1 to the chassis 2 includes a first member 10 mounted to a chassis 2, and a second member 5 rotatably mounted to the sub-assembly 1 with a screw 7. After the sub-assembly 1 is substantially inserted into the chassis 2, the insertion is completed by rotating the second member 5 about the screw 7 to insert a lip 6 of the second member 5 into a slot 11 of the first member 10. The lip 6 is separate from or not a part of the screw 7, and the slot 11 is located a distance away from the axis of the screw 7 and does not surround the screw 7.

In contrast, DiMarco fails to disclose a slot that is located a distance away from an axis and that has a length less than the circumference of a circle centered on the axis and having a radius equal to the distance. DiMarco discloses an insertion/extraction device 100 (FIG. 1) that secures a printed circuit board module 40 to a chassis 20 (FIG. 1) of a cabinet 10 (FIG. 1). The device 100 includes a post 128 having an external thread, and the chassis 20 includes a hole 60 having an internal thread that matches the external thread of the post 128. To secure the module 40 to the chassis 20, the post 128 is inserted into a hole 60 and turned to engage the hole's internal thread with the post's external thread. During engagement of the threads, the post's external thread is analogous to the lip 6 of the applicants' second member 5, and the hole's internal thread is analogous to the slot 11 of the applicants' first member 10. The post's external thread is a part of the post 128, and the hole's internal thread surrounds the axis of the post when the post is inserted into the hole 60. Therefore, unlike the applicants' slot 11, DiMarco's groove surrounds the axis of the post 128 when the post 128 is inserted into the hole 60.

Claims 2 – 7 are patentable by virtue of their dependencies on claim 1 as amended.

Rejection of Claims 8 – 10 under 35 U.S.C. §102(e)

Claim 8 is patentable over DiMarco for reasons similar to those recited above in support of claim 1 over DiMarco.

Claims 9 and 10 are patentable by virtue of their dependencies from claim 8.

Rejection of Claims 11 – 15 under 35 U.S.C. §102(e)

Claim 11 is patentable over DiMarco for reasons similar to those recited above in support of claim 1 over DiMarco.

Claims 12 - 15 are patentable by virtue of their dependencies from claim 11.

Rejection of Claims 16 – 18 under 35 U.S.C. §102(e)

Claim 16 is patentable over DiMarco for reasons similar to those recited above in support of claim 1 over DiMarco.

Claims 17 and 18 are patentable by virtue of their dependencies from claim 16.

Claims 19 – 22

Claims 19 – 22 are allowable because each claim includes the limitations of the dependent claim and the independent claim that the dependent claim depends from.

Claim 23

Claim 23 is allowable over DiMarco for reasons similar to those recited above in support of claim 1 over DiMarco. More specifically, claim 23 recites a latch including a first member defining a slot; and a second member having a lip and operable to rotate about a shaft to engage the slot with the lip, wherein the lip is separate from the shaft. In contrast and as discussed in conjunction with claim 1, the external groove of DiMarco's post 128 is a part of the post 128; not separate from the post 128.

Conclusion

The applicant's attorney respectfully requests the examiner withdraw the rejection of claims 1 – 18 and issue an allowance for claims 1 – 23.

If, after considering this response, the examiner believes the claims should not be allowed, the applicants' attorney respectfully requests that before issuing an Office Action, the examiner call Mr. David Mason (408-447-4046) or Mr. John Janeway (425-455- 5575) to schedule a telephone conference to further the prosecution of the claims.

DATED this 30th day of January 2006.

Respectfully submitted,
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